

UNITED STATES DISTRICT COURT

for the

Eastern District of Tennessee

Kona Ice, Inc.

Plaintiff(s)

v.

Howard Hale,
Fun Time Foods, LLC

Defendant(s)

Civil Action No. 1:18-cv-00041

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* Fun Time Foods, LLC
c/o Howard Dwayne Hale, Registered Agent
1312 Sunnyfield Lane
Chattanooga, Tennessee 37412

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

William J. Rieder
J. Alan Jackson II
Spears, Moore, Rebman & Williams, P.C.
601 Market Street, Suite 400, Chattanooga, Tennessee 37401
Telephone: 423-756-7000

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Date: 3/2/2018



CLERK OF COURT

[Signature]

Signature of Clerk or Deputy Clerk

Civil Action No. 1:18-cv-00041

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for (name of individual and title, if any) Fun Time Foods, LLC
s/o Howard Dwayne Hale, Registered Agent
 was received by me on (date) 03/08/2018

☒ I personally served the summons on the individual at (place) Chicken on a Stick Event Booth, Parking Space
220 Riverfront Parkway east of Olgett
Bridge, Chattanooga, TN on (date) 06/09/2018 ; or

☐ I left the summons at the individual's residence or usual place of abode with (name) _____
 _____, a person of suitable age and discretion who resides there,
 on (date) _____, and mailed a copy to the individual's last known address; or

☒ I served the summons on (name of individual) Howard Dwayne Hale, who is
 designated by law to accept service of process on behalf of (name of organization) Fun Time
Foods on (date) 06/09/2018 ; or

☐ I returned the summons unexecuted because _____ ; or

☐ Other (specify): _____

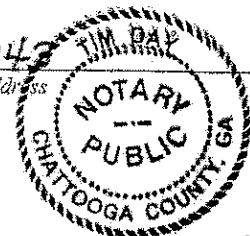
My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ 0.00

I declare under penalty of perjury that this information is true.

Date: 06/11/2018

Steven D. Dunean
 Server's signature
Steven D. Dunean
 Private Investigator, TN # 4777
 Printed name and title
Tellio Resolution Group
5251-C Hwy 153
PMB 261
Hixson, TN 37342
 Server's address

Additional information regarding attempted service, etc:



Notary Public, Chattooga County, GA
 My Commission Expires Mar. 21, 2022

Tim Ray

AFFIDAVIT OF SERVICE

I, Steve D. Duncan, being duly sworn, make oath as follows: I have personally served Fun Time Foods, LLC c/o Howard Dwayne Hale, Registered Agent, with a true copy of the attached Civil Action at: the Chicken on a Stick Event Booth, Parking Space 220, Riverfront Parkway east of Olgiati Bridge, Chattanooga, Tennessee on the 9th day of June, 2018 at 4:20 PM.

I further attest I am over the age of 18, am a resident of the State of Georgia and a Licensed Private Investigator in the State of Tennessee.

Dated this 11th day of June, 2018.

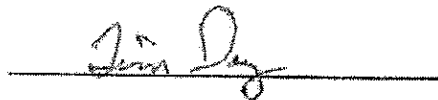


Steven D. Duncan

TN P.I. # 4777

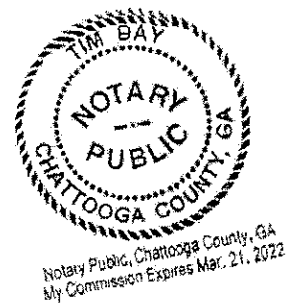
Affiant

Sworn to and subscribed before me this the 11th day of June, 2018.



NOTARY PUBLIC

My commission expires: 3-21-22



CERTIFICATE OF SERVICE

I hereby certify that on June 12, 2018, a copy of the foregoing was served via First Class Mail to Defendants Mr. Howard Hale and Fun Time Foods, LLC, 1312 Sunnyfield Lane, Chattanooga, TN 37412, and 6234 Perimeter Drive Chattanooga, Tennessee 37421.

/s/ Joseph Alan Jackson II